

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GENE R. ROMERO, et al,	:	NO. 01-3894
	:	
Plaintiffs,	:	CONSOLIDATED with Nos.
	:	01-6764, 03-6872, 15-1017, 15-1049,
v.	:	15-1190, 15-2602, 15-2961, 15-3047
	:	
ALLSTATE INSURANCE COMPANY,	:	
et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 6th day of July 2016, upon considering the Partial Motion by Allstate Insurance Company, The Allstate Corporation, Agents Pension Plan, and Administrative Committee (“Allstate”) to Dismiss the Consolidated Complaint (ECF No. 866), Edward Liddy’s Partial Motion to Dismiss (ECF No. 867), Plaintiffs’ Response (ECF No. 869), Allstate’s Reply Brief (ECF No. 871), and Liddy’s Reply Brief (ECF No. 872), it is **ORDERED** the Motions (ECF Doc. Nos. 866, 867) are **granted in part and denied in part**:


1. The Motions to dismiss Plaintiffs’ state law claims are **DENIED WITHOUT PREJUDICE**;

2. The Motions to dismiss the *Anzivine* Plaintiffs’¹ ERISA § 510 claims are

¹ The *Anzivine* Plaintiffs include: Lawrence Anzivine, James Bannon, Bruce Bond, Charles Cady, Christopher Challender, Benny Chunn, Nicholas Costanzo, Joseph Di Blasi, John Dineen, Joseph Eckert, Cebie Edwards, William Farr, Gerald Flores, Donald Franchino, Virginia Gange, Robert Gebler, Paul Gillihan, James Gregg, Leonard Gregonline, David Grossnicklaus, Larry Hall, Raymond Hattaway, Thomas Hawkins, John Hogan, William Hogan, Dennis Karlan, Donald Mattingly, Donald McCrary, James Morgan, Joyce Morgan, William Murtha, Brian Purtle, Charles Randazzo, Edward Resner, Donald Riggins, Thomas Schneider, James Shumaker, Lynn Soward, Arthur Spears III, Nicholas Stavola, Brien Sullivan, Christopher Sullivan, Robert Sutter, William Tarrier, Michael Valente, Ruby Watkins, and Gary Weaver.

GRANTED and these claims are dismissed;

3. The Motions to dismiss Counts II, III, and IV are **GRANTED** and these claims are dismissed;
4. The Motions to dismiss Plaintiff Edwin Murray's claims are **GRANTED** and these claims are dismissed;
5. The Motions to dismiss Plaintiff Christopher Perkins's claims, except Counts XI and XI, are **GRANTED** and these claims are dismissed;
6. In all other respects, the Motions are **DENIED**; and,
7. Defendants shall answer the Consolidated Complaint no later than **July 20, 2016**.



KEARNEY, J.